

**MINUTES  
EAGAR TOWN COUNCIL  
PUBLIC HEARING AND SPECIAL MEETING  
22 W. 2<sup>nd</sup> St., Eagar, AZ  
June 27, 2017 - 7:00 P.M.**

Mayor Bryce Hamblin called the Public Hearing and Special Council Meeting to order and welcomed those present. Mayor Hamblin requested the record show that all Councilmembers are present. Mayor Hamblin led the Pledge of Allegiance and Bruce Ray offered the invocation.

**COUNCIL PRESENT:** Bryce Hamblin, Mayor  
Steve Erhart, Vice Mayor  
Debra Seeley  
James Nelson, Jr.  
Winslow McNeill  
Allen Browning  
John O. Phelps

**STAFF PRESENT:** Bruce Ray, Interim Town Manager  
Eva Wilson, Town Clerk  
Mike Sweetser, Police Chief  
Jeremiah Loyd, Community Development Director  
Katie Brady, Finance Manager  
Doug Brown, Town Attorney  
Roberta Reed, Town Magistrate  
Marion Wiltbank, Assistant Town Clerk

**ITEM #5: SUMMARY OF CURRENT EVENTS**

Interim Town Manager Bruce Ray stated that on Council's desk there was a report on the Round Valley RoundUp breakdown of what we spent. He appreciates everyone's help and those who came out to support the event. The event will be even better next year.

Mr. Ray reported that the town terminated their contract with Conquest Technology that was up for renewal July 1, 2017.

Chief Mike Sweetser informed Council that he has received citizens' concerns about the stop sign removals. The Police Department have put up signs advising citizens of the stop sign removal, but people keep stopping anyways. There have been no accidents, it is just the change.

**ITEM #6: OPEN CALL TO THE PUBLIC**

None.

## **ITEM #7: PRESENTATIONS**

### **A. PRESENTATION ON HOUSING AND URBAN DEVELOPMENT (HUD) AND FAIR HOUSING BASICS FROM THE SOUTHWEST FAIR HOUSING COUNCIL**

Kai McInstry from the Southwest Fair Housing Council made a presentation of the seven protected classes of the Fair Housing Act and HUD updates:

- Race and Ethnicity
- Color (skin pigmentation of an individual)
- Sex and Gender
- National Origin
- Religion
- Familial Status
- Disability

Ms. McInstry added that all federally funded and public properties are to be non-smoking as of August 2018; and housing providers may no longer deny persons with blanket bans for criminal histories as of April 2017. This presentation counts as one criteria of the Community Development Block Grant (CDBG) requirements for funding.

### **B. PRESENTATION ON CROOKED NAIL TRAIL PROGRESS**

Community Development Director Jeremiah Loyd and Ron Shepherd a citizen who is a member of the Crooked Nail Trail Committee, presented an update on the Crooked Nail Trail. It was reported that the Committee had several setbacks in solidifying the multi-use trail routes. The current draft plan first phase routes to the east of Springerville and Eagar and continues south of Eagar to connect to existing trails. A lot of the proposed route follows existing roadways. Responsibility of maintenance of the proposed trails has not been decided yet; hoping the ATV Club takes on that responsibility. The Trail Committee may reapply to State Parks for grant funding to help with maintenance, open funding sources are available. The committee anticipates revenue generation coming from local and state shared sales tax via the sale of gas, food and lodging. The anticipated time table for completion of this phase of the trail is next summer. Mr. Loyd invited everyone to the Crooked Nail Trail Committee meetings held on the second Wednesday of every month from 1:00 p.m. to 3:00 p.m. at Eagar Town Hall.

## **ITEM #8: PUBLIC HEARING**

### **A. PUBLIC HEARING – FISCAL YEAR 2017-2018 FINAL BUDGET AND CAPITAL IMPROVEMENT PLAN**

Interim Town Manager Bruce Ray and Finance Manager Katie Brady presented a PowerPoint regarding 2017-2018 final budget and overview of Town's projected revenues and expenditures. The final State Revenue report has been received by the Town. The Town will be receiving more revenue than what was adopted in the tentative budget. It is projected

we will receive an additional \$200 in Vehicle License Tax, \$2,300 in Highway User Revenue Funds (HURF) plus the one time HURF allocation of \$39,000, \$5,000 in State Shared Sales Tax, and \$700 in Urban Revenue Sharing. Council can vote to use the extra amount via the Contingency line items built into the budget. Mr. Ray and Ms. Brady discussed the breakdown of expenditures in the budget for the fiscal year 2017-2018 with all expenditures totaling \$8,016,163. In anticipation of the Councils possible desire to pay down a large portion of the principal debt to Greater Arizona Development Authority (GADA), for the 2007 bonding issue, a large contingency of \$500,000 was built into the General Fund. The Town will pay off two outstanding WIFA loans in fiscal year 2017-2018 of approximately \$454,000. Public Safety Personnel Retirement System was discussed, the Town has opted to stay with the 20 year payoff of the unfunded liability balance.

#### **ITEM #9: ADJOURNMENT OF PUBLIC HEARING**

Vice-Mayor Steve Erhart made a motion to adjourn the Public Hearing. Councilor Winslow McNeill seconded; all were in favor, motion carried unanimously. 7-0

#### **ITEM #10: CONSENT AGENDA**

- A. APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETING(S) HELD MAY 2017
- B. APPROVAL OF APRIL AND MAY 2017 NATIONAL BANK OF ARIZONA TRANSMITTALS, CHECKS WRITTEN, PAYROLL DIRECT DEPOSIT VOUCHERS, AND CREDIT CARD PURCHASES
- C. ACCEPTANCE OF APRIL AND MAY 2017 FINANCIAL REPORT AND SALES TAX REPORT
- D. AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF SPRINGVILLE TO PROVIDE SERVICES TO SENIOR CITIZENS RESIDING THROUGHOUT ROUND VALLEY
- E. APPROVAL TO ALLOW FOR THE SOLICITATION OF BIDS FOR ABC AND LEACH ROCK FOR THE 12<sup>TH</sup> STREET TRAILHEAD PARKING LOT NOT TO EXCEED \$59,125 AND TO ALLOW THE TOWN OF EAGAR TO ENTER INTO AT CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER
- F. AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH APACHE COUNTY SHERIFF'S OFFICE FOR SHARED FIRE INVESTIGATION COSTS OUTSIDE THE EAGAR TOWN LIMITS

- G. AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE IMPLEMENTATION, DEPLOYMENT, EQUIPPING, GOVERNANCE AND MAINTENANCE OF THE WHITE MOUNTAIN REGIONAL SPECIAL RESPONSE TEAM
- H. APPROVAL OF RESOLUTION 2017-06 ADOPTING A 15 MILES PER HOUR ZONE DURING THE HOURS OF 7:00 A.M. THROUGH 8:00 A.M., AND 3:00 P.M. THROUGH 4:00 P.M. ON SCHOOL DAYS IN THE AREAS OF EAST 2<sup>ND</sup> STREET ON EAGAR STREET, BUTLER STREET, AND HAMBLIN STREET
- I. APPROVAL OF RESOLUTION 2017-07 TO ESTABLISH A YIELD SIGN ON SOUTH SCHOOL BUS ROAD AT THE INTERSECTION OF WEST SCHOOL BUS ROAD AND WEST 8<sup>TH</sup> STREET
- J. APPROVAL OF RESOLUTION 2017-08 AMENDING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF EAGAR, THE TOWN OF SPRINGERVILLE, AND APACHE COUNTY FOR THE CONSTRUCTION OF THE CROOKED NAIL TRAIL
- K. AUTHORIZATION TO AWARD SWCA ENVIRONMENTAL CONSULTANTS A CONTRACT TO CONDUCT THE CULTURAL CLEARANCE SURVEY FOR THE CROOKED NAIL TRAIL

Mayor Bryce Hamblin asked if there were any items that Council would like to pull from the Consent Agenda for discussion and consideration. Items D., F., G., and H. were pulled from the Consent Agenda.

With the exceptions of Items D., F., G., and H. pulled from the Consent Agenda, Vice-Mayor Steve Erhart made a motion to approve the Consent Agenda. Councilor Debra Seeley seconded; all were in favor, motion carried unanimously. 7-0

Consent Agenda items are discussed prior to motions made on each item:

- D. AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF SPRINGERVILLE TO PROVIDE SERVICES TO SENIOR CITIZENS RESIDING THROUGHOUT ROUND VALLEY

Mr. Ray stated that paragraph 7, B. was changed to read: "This Agreement shall remain in full force and effect through June 30, 2018", and the next sentence was removed so the agreement can be reviewed every year.

Councilor James Nelson, Jr. moved to enter into an intergovernmental agreement with the Town of Springerville to provide services to senior citizens residing throughout Round Valley with the corrections to the agreement in paragraph B. as noted by Interim Town

Manager Bruce Ray. Councilor Winslow McNeil seconded; all were in favor, motion carried unanimously. 7-0

F. AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH APACHE COUNTY SHERIFF'S OFFICE FOR SHARED FIRE INVESTIGATION COSTS OUTSIDE THE EAGAR TOWN LIMITS

Mayor Bryce Hamblin questioned the instance that we would share costs of an investigation outside our town limits. Interim Town Manager Bruce Ray stated that the Town has two fire investigators, Dino Walker and Tom Beddow, volunteers with Eagar Fire Department. If they are outside our jurisdiction investigating, the Town might incur some costs and it is anticipated that the requesting agency will reimburse the Town, as well as Apache County supplying a vehicle for those investigators.

Mayor Hamblin asked if there was any discretion built into the agreement as to whether the investigator will be dispatched to fires and what and if the reimbursement will be? Town Attorney Doug Brown said the agreement it allows us to provide services and if the incident is minimal time and close to town limits there probably won't be a cost incurred except the vehicle being covered. If it requires a long-distance travel, overnight stay and meals then we would get reimbursed those.

Mayor Hamblin clarified that the investigator's time (compensation) is incurred by the Town (not including travel expenses). Mr. Ray stated that the use of the vehicle is the reimbursement for the investigator's time. The Town would renegotiate the agreement with Apache County when a replacement vehicle is needed. Mr. Brown stated there is an "out clause" built into the agreement, as well as, a three-year term.

Councilor Debra Seeley inquired about workman's compensation responsibilities and Mr. Brown replied that indemnification responsibilities is written in the contract so Apache County is liable when the fire investigators are working for them. Councilor Seeley asked how often these investigators have been called out for investigations. Mr. Ray stated this is a new program as the two investigators were just recently certified. Mr. Brown stated there has only been one fire recently that has been in need of investigation.

Councilor James Nelson, Jr. moved to enter into an intergovernmental agreement with Apache County Sheriff's Office for shared Fire Investigation costs outside the Eagar Town limits. Councilor Winslow McNeil seconded; all were in favor, motion carried unanimously. 7-0

G. AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE IMPLEMENTATION, DEPLOYMENT, EQUIPPING, GOVERNANCE AND MAINTENANCE OF THE WHITE MOUNTAIN REGIONAL SPECIAL RESPONSE TEAM

Mayor Hamblin questioned who has oversight over the Special Response Team (SRT). Chief Mike Sweetser stated the oversight is provided by the team commander through Show Low. It will be Chief Sweetser's decision when he asks the SRT to respond as to who maintains authority; authority may be assigned to the SRT squad, maintained jointly, and ideally keep the authority as the requesting agency. The creation of this Intergovernmental Agreement (IGA) shows due diligence by consulting county and municipal risk pools and attorneys to ensure equal and fair indemnification on all parties involved.

More than indemnification Mayor Hamblin is more concerned about high risk stops occurring in Eagar with guns drawn for non-felonious or non-serious events which may not even entail incarceration; this type of response is unwarranted. Mayor Hamblin understands the requesting agency maintains control, however, he wants to ensure that the dynamics of the SRT has proper supervision and competence; and does every participating agency have a say in those dynamics. Chief Sweetser stated the SRT command staff consists of Commander McNeil and Sergeant Spear of Show Low. Chief Sweetser has worked with these officers in the past and acknowledged their respectable reputations.

Mayor Hamblin wants clarification on how much input the Town of Eagar has concerning issues, including personnel issues with the SRT. How much influence does the City of Show Low have versus other participating agencies with respect to the SRT and issues of concern? Upon whom does the ultimate responsibility fall upon? Chief Sweetser will take these issues to the SRT Board and get the answers to Mayor Hamblin's, and other councilmembers concerns and keep them informed via an email. The SRT is in the process of writing their bylaws and procedures and Mayor Hamblin wants the Town to have a say in decisions of personnel issues and some decision making criteria placed in the bylaws. There was also concern on the command structure of the SRT and how the responsibility of leadership will be maintained.

Chief Sweetser stated he has the same sentiments and concerns. Show Low is the main provider of the team now with other members from Apache and Navajo Counties. Apache County has approximately five members on the team with commander based out of Apache County who has SWAT experience and will oversee this area when dire response is needed immediately.

Councilor James Nelson, Jr. moved to enter into an intergovernmental agreement for the implementation, deployment, equipping, governance and maintenance of the White Mountain Regional Special Response Team. Vice-Mayor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

H. APPROVAL OF RESOLUTION 2017-06 ADOPTING A 15 MILES PER HOUR ZONE DURING THE HOURS OF 7:00 A.M. THROUGH 8:00 A.M., AND 3:00 P.M. THROUGH 4:00 P.M. ON SCHOOL DAYS IN THE AREAS OF EAST 2<sup>ND</sup> STREET ON EAGAR STREET, BUTLER STREET, AND HAMBLIN STREET

Councilor Debra Seeley is not fond of this resolution to adjust speed limits, and previously the removal of certain stop signs near the schools

Chief Mike Sweetser said he is not trying to implement a 15 mile per hour (MPH) school zone with this and instead is a reasonable and prudent solution to the removal of those stop signs. The change of speed would allow officer visibility and more traffic enforcement options.

Councilor John Phelps asked if the driver feedback signs (electronic speed limit signs) would work in these proposed areas of concern. Chief Sweetser stated that could be an option and Council is welcome to provide other solutions to the issue. Councilor Phelps asked how drivers would be reminded of a speed limit change besides a citation.

Chief Sweetser with assistance from the school will send out a letter to parents regarding removal of stop signs.

Mayor Hamblin stated the tactic of notify parents has not worked in the past as evidenced by parent who still drop their children off in the middle of the street to cross against traffic. He added that this year there definitely has to be some enforcement and consequences to these careless actions taking place at the elementary school. It's a great fear that a child is going to get seriously injured in this school zone. Chief Sweetser stated the letter he has drafted will have a stern notice to reemphasize this issue. Chief Sweetser, however, does not have a problem moving to the next level of enforcement with citations and Mayor Hamblin endorsed that action.

Councilor Winslow McNeil wants officers to have discretion on the level of enforcement, and absolutely repeat offenders should be dealt with strictly.

Chief Sweetser and Mayor Hamblin agree that the notification letters to parents help the situation initially and then shortly after return to the negative consideration and driving habits. It has been three years that the school and police department has tried to emphasize to the parents about the safety hazards in this area and the proper drop off zones and parking area; it is time to strictly enforce violations.

Councilor John Phelps said when it comes to a child's life, citations to speeding drivers in the school zones is absolutely appropriate.

Councilor Debra Seeley agrees the schools zones need to be strictly patrolled as she worries for the children.

Councilor James Nelson, Jr. moved to approve Resolution 2017-06 adopting a 15 miles per hour zone during the hours of 7:00 a.m. through 8:00 a.m. and 3:00 p.m. through 4:00 p.m. on school days in the areas of east 2<sup>nd</sup> Street on Eagar Street, Butler Street, and Hamblin

Street. Councilor Winslow McNeil seconded; all were in favor, motion carried unanimously.  
7-0

#### **ITEM #11: UNFINISHED BUSINESS**

None.

#### **ITEM #12: NEW BUSINESS**

##### **A. DISCUSSION AND CONSIDERATION TO ACCEPT FISCAL YEAR 2016-2017 BUDGET END-YEAR ADJUSTMENTS**

Finance Manager Katie Brady described the budget appropriations for Council consideration. Ms. Brady asked Council to allow her to make the following adjustment to the budgets:

• General Government	(20,000)
• Parks & Recreation	11,000
• Facilities	39,000
• Fleet	16,500
• HURF	70,000
• Utility Facilities	14,530
• Utility Fleet	(11,500)
• Water	60,000
• Sewer	(20,000)
• Contingency	(159,530)

Vice-Mayor Steve Erhart moved to accept the Fiscal Year 2016-2017 Budget end-year adjustments. Councilor James Nelson seconded; all were in favor, motion carried unanimously. 7-0

##### **B. DISCUSSION AND CONSIDERATION TO APPROVE RESOLUTION 2017-05 ADOPTING THE FISCAL YEAR 2017-2018 FINAL BUDGET AND CAPITAL IMPROVEMENT PLAN**

Interim Town Manager Bruce Ray presented the Fiscal Year 2017-2018 Final Budget and Capital Improvement Plan to Council. The Town has a \$270,000 adjustment in personnel and everybody it affects has been notified. Mr. Ray said the Town is looking pretty good in regards to the budget. Vice-Mayor Steve Erhart asked if the council still retains the ability to change or re-prioritize capital items and Mr. Ray affirmed that. Mr. Ray stated that the savings in the town manager's fund, if used for any other purpose other than paying for a town manager, needs council to indicate that and give direction on what that might be used for. Mayor Hamblin asked if the money can be moved around and used for anything and Mr. Ray stated yes.



Councilor James Nelson moved to approve Resolution 2017-05 adopting the Fiscal Year 2017-2018 Final Budget and Capital Improvement Plan. Vice-Mayor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

**ITEM #13: SIGNING OF DOCUMENTS**

Necessary signatures were obtained for the Minutes of May 2017; Financial Statements for April and May 2017; Intergovernmental Agreements with the Town of Springerville for the Senior Center, Apache County Sheriff's Office for Fire Investigators, and the White Mountain Regional Special Response Team; Resolutions 2017-05 (FY 2017-2018 Final Budget and Capital Improvement Plan), 2017-06, 2017-07, and 2017-08; and the contract to SWCA Environmental Consultants.

**ITEM #14: ADJOURNMENT**

Councilor Winslow McNeill made a motion to adjourn the meeting [at 8:27 p.m.] Vice-Mayor Steve Erhart seconded; all were in favor, motion carried unanimously. 7-0

Attest: \_\_\_\_\_

Mayor: \_\_\_\_\_

Vice-Mayor: \_\_\_\_\_

Council: \_\_\_\_\_

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**CERTIFICATION OF COUNCIL MINUTES**

I hereby certify that the foregoing minutes is a true and correct copy of the minutes of the Regular Council Meeting of the Town of Eagar, Arizona held on June 27, 2017.

I further certify that the meeting was duly called and held and that a quorum was present.

\_\_\_\_\_  
Eva Wilson, Town Clerk